

**HAWAII STATE
HOUSE OF REPRESENTATIVES**

REGULAR SESSION OF 2015

MINI JOURNAL

FLOOR REMARKS TO BE INSERTED

FORTY-SECOND DAY

APRIL 7, 2015

OFFICE OF THE CHIEF CLERK

BT

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FORTY-SECOND DAY

Tuesday, April 7, 2015

The House of Representatives of the Twenty-Eighth Legislature of the State of Hawaii, Regular Session of 2015, convened at 12:06 o'clock p.m., with Speaker Souki presiding.

The invocation was delivered by Ms. Heather Davis of Representative Takashi Ohno's office, after which the Roll was called showing all Members present with the exception of Representative Oshiro, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-First Day was deferred.

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 1103) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 1103, informing the House that on April 1, 2015, the following bill was signed into law:

S.B. No. 103, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET." (ACT 003)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 388 through 403) were received and announced by the Clerk:

Sen. Com. No. 388, transmitting S.C.R. No. 39, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ORDER THE EXCLUSIVE DISPLAY OF THE FLAG OF HAWAII OVER STATE BUILDINGS ON JANUARY 17 OF EACH YEAR," which was adopted by the Senate on April 6, 2015.

Sen. Com. No. 389, transmitting S.C.R. No. 40, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CAMPAIGN SPENDING COMMISSION TO STUDY AND MAKE RECOMMENDATIONS REGARDING A \$250 CAP ON CAMPAIGN CONTRIBUTIONS AND ON ESTABLISHING A PROCESS FOR THE REFUNDING OF CAMPAIGN CONTRIBUTIONS," which was adopted by the Senate on April 6, 2015.

Sen. Com. No. 390, transmitting S.C.R. No. 45, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DRUG ENFORCEMENT ADMINISTRATION TO INITIATE RESCHEDULING PROCEEDINGS TO REMOVE MARIJUANA FROM SCHEDULE I OF THE FEDERAL CONTROLLED SUBSTANCES ACT," which was adopted by the Senate on April 6, 2015.

Sen. Com. No. 391, transmitting S.C.R. No. 76, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO TAKE ACTION TO PROTECT 'ILIAHI, HAWAIIAN SANDALWOOD," which was adopted by the Senate on April 6, 2015.

Sen. Com. No. 392, transmitting S.C.R. No. 98, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO CONDUCT A STUDY TO IDENTIFY TRAFFIC OFFENSES AND CRIMES, PETTY MISDEMEANOR OFFENSES, AND MISDEMEANOR OFFENSES THAT CAUSE A DISPROPORTIONATE WORKLOAD FOR THE JUDICIARY AND THAT MAY BE APPROPRIATE FOR DECRIMINALIZATION AS INFRACTIONS," which was adopted by the Senate on April 6, 2015.

Sen. Com. No. 393, transmitting S.C.R. No. 102, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PEOPLE OF KOREA TO ENGAGE IN DIALOGUE REGARDING THE PEACEFUL

REUNIFICATION OF THE KOREAN PENINSULA," which was adopted by the Senate on April 6, 2015.

Sen. Com. No. 394, transmitting S.C.R. No. 106, SD 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A TASK FORCE TO IDENTIFY PARCELS OF URBAN SHORELINE IN KAKA'AKO MAKAI IN COORDINATION WITH THE "LEI OF GREEN" POLICY RECOGNIZED IN THE KAKA'AKO MAKAI VISION AND GUIDING PRINCIPLES AND THE MASTER PLAN FOR KAKA'AKO MAKAI ADOPTED BY THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY IN 2011," which was adopted by the Senate on April 6, 2015.

Sen. Com. No. 395, transmitting S.C.R. No. 150, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL BUREAU OF INVESTIGATION TO REPORT CRIMES OF DOMESTIC VIOLENCE UNDER THE UNIFORM CRIME REPORTING SYSTEM," which was adopted by the Senate on April 6, 2015.

Sen. Com. No. 396, transmitting S.C.R. No. 164, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A CLIMATE CHANGE AND HEALTH WORKING GROUP TO ASSESS THE SCOPE AND RISKS OF CLIMATE CHANGE ON THE HEALTH OF HAWAII'S RESIDENTS AND TO DEVELOP A STRATEGIC PLAN TO ADDRESS CLIMATE CHANGE RISKS TO HEALTH STATEWIDE," which was adopted by the Senate on April 6, 2015.

Sen. Com. No. 397, transmitting S.C.R. No. 165, SD 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE COINAMING OF A SECTION OF 33RD STREET IN NEW YORK CITY TO FATHER DAMIEN WAY IN HONOR OF SAINT DAMIEN DE VEUSTER," which was adopted by the Senate on April 6, 2015.

Sen. Com. No. 398, transmitting S.C.R. No. 167, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING WITHIN THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES A TASK FORCE TO PLAN AND COORDINATE THE CELEBRATION OF THE FIFTIETH ANNIVERSARY OF THE HAWAII STATE CAPITOL," which was adopted by the Senate on April 6, 2015.

Sen. Com. No. 399, transmitting S.C.R. No. 186, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE OFFICE OF PLANNING, LAND USE COMMISSION, HAWAII COMMUNITY DEVELOPMENT AUTHORITY, HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION, AND COUNTY PLANNING DEPARTMENTS TO ADOPT AND IMPLEMENT RECOMMENDATIONS HIGHLIGHTED IN THE BUILDING HEALTHY PLACES TOOLKIT REPORT BY THE URBAN LAND INSTITUTE, OR SIMILAR POLICIES THAT PROVIDE A COMPREHENSIVE APPROACH TO LAND USE AND DEVELOPMENT THAT STRENGTHEN COMMUNITY HEALTH AND SMART GROWTH PRINCIPLES," which was adopted by the Senate on April 6, 2015.

Sen. Com. No. 400, transmitting H.B. No. 269, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGY," which passed Third Reading in the Senate on April 6, 2015.

Sen. Com. No. 401, transmitting H.B. No. 928, entitled: "A BILL FOR AN ACT RELATING TO THE CONSUMER ADVOCATE," which passed Third Reading in the Senate on April 6, 2015.

Sen. Com. No. 402, transmitting H.B. No. 15, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," which passed Third Reading in the Senate on April 6, 2015.

Sen. Com. No. 403, transmitting H.B. No. 1090, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT AGREEMENTS," which passed Third Reading in the Senate on April 6, 2015.

Representative Saiki moved to disagree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representative Oshiro was excused.)

H.B. No. 15, HD 1, (SD 1)
H.B. No. 1090, HD 2, (SD 2)

INTRODUCTIONS

The following introductions were made to the Members of the House:

REMARKS DELIVERED: Rep. Ward
Rep. LoPresti

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 181) was announced by the Clerk and the following action taken:

H.R. No. 181, entitled: "HOUSE RESOLUTION RECOGNIZING LEGACY OF LIFE HAWAII AND HONORING KEKOA ROBERT NELSON, BRONSON "DUKE" NAINOA DE REGO, JENS MAGELSSSEN, AND THEIR RESPECTIVE FAMILIES WHO HAVE SELFLESSLY GIVEN THE GIFT OF LIFE DURING NATIONAL DONATE LIFE MONTH," was jointly offered by Representatives Ohno and Belatti.

Representative Ohno moved that H.R. No. 181 be adopted, seconded by Representative Creagan.

Representative Ohno recognized organ donors and their families as true heroes, saving and enhancing the lives of others, and introduced guests who were seated in the gallery:

Dr. Stephen Kula, CEO and President of Legacy of Life Hawaii; and staff.

Representative Ohno then honored and introduced honorees seated on the Floor of the House:

Kekoa Robert Nelson, represented by his parents, Michael and Frances Nelson. Kekoa became an organ donor at eight years old after an accident took his life. His donation of kidneys, lungs and heart valves has saved the lives of others.

Bronson "Duke" Nainoa De Rego, represented by his mother, Shirley De Rego, and brother, Auwae De Rego. Duke became an organ donor at 14 years old. His donation of kidneys and liver saved the lives of three individuals, and his cornea donation restored sight to two others. His mother established The Alex and Duke De Rego Foundation to provide young people the right skills to empower them with knowledge and awareness that will safeguard their lives and the lives of others. They were accompanied by family members in the gallery: Dane Gambill, Kekai Gambill, Doreen Gambill, Alika Gambill, Bronson Gambill, Eddie Gambill, Lana Incillio and Keahi Incillio.

Jens Magelssen, represented by his parents, David and Penelope Magelssen. Jens was a Honolulu Police Officer who became an organ donor after an accident took his life. He gave the gift of kidneys, liver and tissue to save the lives of others. They were accompanied by family members in the gallery: Faith Magelssen Walker, Ruth Magelssen and Rob Griffin.

Representative Ward commended the heroes, and recognized Ms. CJ Leong, Administrative Services Manager for the Majority Leader, who donated her kidney to former Chief Clerk Patricia Mau-Shimizu.

Representative Ing, as the son of an organ donor, recognized Legacy of Life and the heroes, reflecting on how his father donated his cornea to give sight to another young man when he passed away.

The motion was put to vote by the Chair and carried, and H.R. No. 181 was adopted, with Representatives Belatti and Oshiro being excused.

The following resolution (H.R. No. 182) was announced by the Clerk and the following action taken:

H.R. No. 182, entitled: "HOUSE RESOLUTION HONORING THE AMERICAN MASSAGE THERAPY ASSOCIATION-HAWAII CHAPTER AND THE MASSAGE THERAPISTS ASSOCIATION OF HAWAII ON THEIR 20TH ANNUAL LEGISLATIVE MASSAGE AWARENESS DAY AT THE STATE CAPITOL AND FOR THEIR COMMITMENT TO PROMOTING THERAPEUTIC MASSAGE AS INTEGRAL TO THE MAINTENANCE OF GOOD HEALTH AND WELL-BEING OF THE PEOPLE OF HAWAII," was jointly offered by Representatives Creagan, Belatti, Mizuno, Morikawa and Woodson.

Representative Creagan moved that H.R. No. 182 be adopted, seconded by Representative Morikawa.

Representative Creagan recognized the American Massage Therapy Association and the Massage Therapists Association of Hawaii and their goal to educate and inform massage therapists on concerns, issues and trends in their profession.

Representative Morikawa noted the dedication of massage therapists in promoting good health and well-being through therapeutic massage for the people of Hawaii, thanked them for their continued support and participation at the Legislative Massage Awareness Day at State Capitol, and introduced honorees seated on the Floor of the House:

Mr. Dustin Ebesu, President, Massage Therapists Association of Hawaii;
Ms. Arlene Estrella, President, American Massage Therapy Association-Hawaii Chapter;
Ms. Connie Cadiz, American Massage Therapy Association – Hawaii Chapter, and Chairperson for the Legislative Massage Awareness Day; and
Ms. Mary Lynn Mahana Byington, Past President, Massage Therapists Association of Hawaii.

Representative Mizuno recognized Dustin and Mahana and the other massage therapists for their selflessness over the years in donating the proceeds from their massages during Legislative Massage Awareness Day to the Hawaii Foodbank.

The motion was put to vote by the Chair and carried, and H.R. No. 182 was adopted, with Representatives Aquino, Belatti and Oshiro being excused.

The following resolution (H.R. No. 183) was announced by the Clerk and the following action taken:

H.R. No. 183, entitled: "HOUSE RESOLUTION HONORING THE OUTSTANDING CONTRIBUTIONS OF MS. MAGDALENA "MAGGIE" PASION DOMINGO TO ETHNIC BROADCASTING & COMMUNITY SERVICE," was jointly offered by Representatives Cachola and Mizuno.

Representative Cachola moved that H.R. No. 183 be adopted, seconded by Representative Mizuno.

Representative Cachola recognized the honoree for her outstanding record of service and leadership, and for her continuing commitment to community advocacies, and introduced honoree seated on the Floor of the House:

Ms. Magdalena "Maggie" Pasion Domingo.

Representative Mizuno recognized Maggie, the first female President of the United Filipino Council of Hawaii, for her hard work and perseverance, acknowledged her travel agency and radio program for their success, and congratulated her on her retirement.

Representative Cachola honored the many individuals who have supported Maggie in her programs and initiatives, and introduced colleagues of Ms. Domingo who were seated on the Floor of the House:

Ms. Lorene Godfrey, Station Manager of KNDI Radio, representing Mr. and Mrs. Geronimo and Nellie Malabed, Jr., Owners of KNDI Radio, an ethnic radio serving all communities in Hawaii;
Ms. Edith Gudoy, Owner of Everlasting Travel, and former President of Hawaii Association of Filipino Travel Agents.
Ms. Janice Sevilla, member of the Board of Trustees and Treasurer of the Philippine Cultural Foundation of Hawaii.

The motion was put to vote by the Chair and carried, and H.R. No. 183 was adopted, with Representatives Belatti, Hashem, Luke and Oshiro being excused.

At 12:39 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:51 o'clock p.m.

UNFINISHED BUSINESS

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1364) recommending that S.B. No. 211, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 211, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORENSIC IDENTIFICATION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Belatti, Har, Oshiro and Tokioka being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1365) recommending that S.B. No. 214, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 214, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL CLAIMS DIVISION OF THE DISTRICT COURT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Belatti, Har, Oshiro and Tokioka being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1366) recommending that S.B. No. 223, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 223, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE PUBLIC GUARDIAN," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Belatti, Har, Oshiro and Tokioka being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1367) recommending that S.B. No. 218, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 218, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ORDER

OF SUCCESSION," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Belatti, Har, Oshiro and Tokioka being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1368) recommending that S.B. No. 1219, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1219, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Belatti, Har, Oshiro and Tokioka being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Tupola and carried, the rules were suspended for the purpose of considering certain Senate Bills for Third Reading by consent calendar. (Representatives Belatti, Har, Oshiro and Tokioka were excused.)

UNFINISHED BUSINESS

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1372) recommending that S.B. No. 1113, SD 2, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1113, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS," passed Third Reading by a vote of 47 ayes, with Representatives Belatti, Har, Oshiro and Tokioka being excused.

At 12:53 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 1113, SD 2, HD 1

REPORTS OF STANDING COMMITTEES

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1373) recommending that S.B. No. 388, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 388, HD 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE DEPARTMENTS," passed Third Reading by a vote of 47 ayes, with Representatives Belatti, Har, Oshiro and Tokioka being excused.

At 12:54 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 388, HD 1

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1374) recommending that S.B. No. 419, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 419, SD 2, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Jordan

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 419, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NEIGHBORHOOD BOARDS," passed Second Reading and was placed on the calendar for Third Reading, with Representative Jordan voting aye with reservations, and with Representatives Belatti, Har, Oshiro and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1375) recommending that S.B. No. 434, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1375 on S.B. No. 434, SD 2, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 434, SD 2, HD 1, were made available to the Members of the House.

Representative Lee, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1376) recommending that S.B. No. 320, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1376 on S.B. No. 320, SD 1, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 320, SD 1, HD 2, were made available to the Members of the House.

ANNOUNCEMENTS

REMARKS DELIVERED: Rep. Saiki

At this time, the Members of the House of Representatives stood for a moment of silence in honor of the late Dr. Irwin Schatz, father of U.S. Senator Brian Schatz.

ADJOURNMENT

At 12:57 o'clock p.m., on motion by Representative Evans, seconded by Representative Tupola and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, April 8, 2015. (Representatives Belatti, Har, Oshiro and Tokioka were excused.)

HOUSE COMMUNICATIONS

House Communication dated Tuesday, April 7, 2015, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has disagreed to the amendments made by the Senate to the following measures:

H.B. No. 15, HD 1, SD 1
H.B. No. 1090, HD 2, SD 2

**28th LEGISLATURE, REGULAR SESSION OF 2015
JOINT HOUSE and SENATE
COMMITTEES ON CONFERENCE PROCEDURES**

The Senate and the House have agreed to the following special procedures for all 2015 Regular Session Committees on Conference. These Conference procedures shall be effective from 8:00 a.m. on Monday, April 20, 2015, until 12:00 midnight on Friday, May 1, 2015.

1. Definitions

For purposes of these procedures:

"Chairs" refers to all of the designated chairs and co-chairs of a Conference Committee.

"Conference Committee" refers to the conference of the House Committee and the Senate Committee assigned by their respective chamber to resolve the differences between the House and the Senate over a particular measure.

"Lead chair" refers to the chair of the House Committee or the Senate Committee who is listed first on the Action Sheets, as provided by the respective chamber.

"Lead committee staff" refers to the staff of the lead Chair from the chamber from which the measure in conference originated.

"Managers" refers to all members of the House and Senate assigned to a Conference Committee.

2. Conference Committee Scope and Amendments

The authority of the Conference Committee shall be limited to resolving differences between the Senate and House drafts of a measure. Accordingly:

- a. With the exception of the Executive Budget, the Judiciary Budget, and the Budget of the Office of Hawaiian Affairs, a Conference Committee shall not amend a measure by inserting any unrelated or new subject matter.
- b. To assure the integrity of individual measures, the merging of two or more distinct but related measures into one encompassing measure shall not be allowed.

3. Conference Committee Meeting Times and Places

Conference Committee deliberations shall take place only between the hours of 8:00 a.m. and 12:00 midnight.

A Conference Committee shall meet in the conference room assigned or reserved, pursuant to the Room Scheduling Procedures and Guidelines and Room Assignment Schedule, as attached.

4. Initial Public-Meeting Notice

The signatures of all chairs shall be obtained before the notice of an initial meeting is posted or distributed. Prior to offering the initial meeting notice for signatures, the chairs shall consult with one another on the information to be included in the notice. Lead chairs from both houses are encouraged to sign meeting notices first, before distributing them to other chairs to sign.

Chairs shall provide at least 24 hours public notice of the first meeting of the Conference Committee and are strongly encouraged to provide more than 24 hours notice if at all possible. Written notices shall be submitted to the Senate Chief Clerk and the House Sergeant-at-Arms for official postings on the Legislature's website and Capitol bulletin boards. The lead committee staff shall post the notice adjacent to the door of the assigned conference room at the time of the meeting.

5. Notice of Subsequent Meetings

- a. If agreement is not reached at a duly noticed meeting but the lead chairs of both chambers agree to meet again before midnight on the same day, the lead chairs of both chambers shall publicly announce at the meeting the time and place at which the Conference Committee will reconvene. Written notice of the

reconvening of the Conference Committee on the same day is not required to be distributed. However, written notice containing information on the subsequent meeting shall be submitted to the Senate Chief Clerk and the House Sergeant-at-Arms for official posting as soon as possible. The lead committee staff shall post the notice adjacent to the door of the assigned conference room at the time of the meeting.

- b. If agreement is not reached at a duly noticed meeting but the lead chairs of both chambers agree to meet on another day, the lead chairs of both chambers shall publicly announce at the meeting the date(s), time(s), and place of the subsequent meeting(s), and submit written notice to the Senate Chief Clerk and the House Sergeant-at-Arms for official posting. The lead committee staff shall post the notice adjacent to the door of the assigned conference room at the time of the meeting.
- c. If agreement is not reached at a duly noticed meeting and the date(s), time(s), and place of future meetings are not publicly announced at that noticed meeting, chairs shall ensure that a written meeting notice, signed by the lead chairs of their respective chamber, is submitted to the Senate Chief Clerk and the House Sergeant-at-Arms for official posting at least 24 hours in advance of the next meeting of the Conference Committee.

6. Attendance at Meetings

- a. To convene the initial conference committee meeting only the lead House and Senate chair must be present. All other conference committee managers, especially any co-chair, should attempt to be present.

- b. Once a conference has been opened, reconvening of any subsequent meeting of a conference committee shall require the following:

For the Senate, the lead chair or co-chair must be present.

For the House, the lead chair must be present.

All other conference committee managers, especially any co-chair, should attempt to be present at the convening of and during each meeting.

- c. For decision-making at a meeting, a quorum must be present. "A quorum shall be a majority of the House Committee managers and a majority of the Senate Committee managers, and shall include the lead House and Senate chair and majority of the chairs of the Conference Committee for their respective chamber." See Section 9.a of the "Procedures." The lead House and Senate chair of the conference committee must be part of this quorum.
- d. For a measure with fiscal implications, approval must be given by the chair representing the House Finance Committee and Senate Ways and Means Committee during the decision-making on the measure.

7. Conference Discussion

Except as authorized by the respective chairs, only the respective chairs may speak during conference. All other managers or other authorized persons shall be recognized by their respective chairs before speaking on any issue.

8. Decorum in Conference Committee Meetings and Courtesy to the Public and to the Managers

- a. Managers shall respect the differing views of other managers and conduct themselves in a courteous manner.
- b. Chairs shall ensure that meetings convene and reconvene at scheduled times. If none of the chairs of one of the Committees are present within 15 minutes of the scheduled meeting time, the chairs of the other Committee shall have the names of the absent chairs paged through the State Capitol public address system.
- c. If none of the absent chairs are present within 30 minutes of the scheduled meeting time, the chairs present shall inform the managers and members of public present that the Conference

Committee cannot be convened or reconvened, and that, pursuant to 5c of these Committees on Conference Procedures, a 24-hour advance notice shall be provided for a subsequent meeting of the Conference Committee.

9. Decision-making Meeting

The decision-making meeting of a Conference Committee shall comply with the following open meeting provisions:

- a. A quorum of the Conference Committee shall be present for the decision making meeting. A quorum shall be a majority of the House Committee managers and a majority of the Senate Committee managers, and shall include the lead House and Senate chair and majority of the chairs of the Conference Committee for their respective chamber.
- b. To report a measure out of Conference Committee in amended form, Conference Draft (CD), a majority of the quorum of managers for each respective chamber shall vote in favor of the proposed amendments.
- c. The lead chair (or the lead chair's designee) representing their respective chamber shall call the roll and be the recorder of the quorum and the votes on that measure for that chamber. (Sample attached).
- d. If, after naming a Conference Committee on a measure, the Conference Committee managers representing the chamber from which a measure originated agree to the amendments made by the non-originating chamber, only a quorum of those representing the originating chamber shall vote on the agreement at a duly noticed meeting. For example, if after naming a Conference Committee on a House measure, the House managers of the Conference Committee decide to agree to the amendments in the Senate draft (SD) of the measure, then only the House managers of the Conference Committee shall vote on the measure, returning it to the House in its SD form. For such action, only a quorum of the Conference Committee managers representing the chamber from which the measure originated need to be present. The "Record of Votes of a Conference Committee" sheet detailing the votes of the managers of the originating chamber shall be filed with the appropriate chamber without a Conference Committee Report.

10. Conference Committee Reports

- a. A majority of the House and Senate chairs, respectively, of a Conference Committee shall attest to the action of the Conference Committee by signing the Conference Committee Report on behalf of their respective managers; provided that no Conference Committee Report concerning a measure with fiscal implications shall be reported out of a Conference Committee without the signature of the chair (or the chair's designee) of each fiscal committee to which the measure is referred. The "Record of Votes of a Conference Committee" sheet detailing the votes of the managers of the Conference Committee shall be attached to the report as a part thereof.
- b. All House measures reported out of Conference Committee shall be filed with the House Chief Clerk, and likewise all Senate measures shall be filed with the Senate Chief Clerk. A document filed in the originating chamber shall be deemed simultaneously filed in the other chamber. Only the original Conference Committee Report, with the attached Record of Votes, and the Conference Draft of the measure shall be required for filing.
- c. If the Conference Committee votes to report the measure out, the Committee must file a Conference Committee Report and Conference Draft with the appropriate chamber's Chief Clerk.

11. Decision-making Deadlines

On the deadline nights for Final Decking of both non-fiscal and fiscal bills:

- a. Conference Committees shall conclude their negotiations by 6:00 p.m. to allow adequate time for final preparation of the bills and Conference Committee Reports.

- b. To provide all chairs with ample opportunity to review and sign the Conference Committee Reports before filing, all Conference Committee Reports shall be available for review and signature by 9:00 p.m.
- c. All Conference Committee Reports and Conference Drafts of measures shall be filed with the respective Chief Clerk by 11:30 p.m.

12. Electronic Transfer

Should a Conference Committee for which the vehicle is a Senate bill decide to use a proposal drafted by the House, the House chair shall have the House proposal electronically transferred to the appropriate Senate office so that the Conference Draft can be prepared. The converse shall apply to House bills with proposals drafted by the Senate that the Conference Committee agrees to.

13. Exceptions to these Deadlines and Procedures

Exceptions to these deadlines and other procedures may be made only with the advance written approval of both the Senate President and the House Speaker.

/s/ Donna Mercado Kim
Donna Mercado Kim
President of the Senate

/s/ Joseph M. Souki
Joseph M. Souki
Speaker of the House of Representatives

4-6-15
Date

4-6-15
Date

Attachment

Hawaii State Legislature
Record of Votes of a
Conference Committee

158-10

Bills / Concurrent Resolution No.: SB 2469, SD 2, HD 2					Date/Time: <i>A120110 8:50 p.m.</i>					
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).										
<input type="checkbox"/> The Committee is reconsidering its previous decision.										
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendment made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.					
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E	
CHUN OAKLAND, Suzanne, Chr.	✓				MIZUNO, John M., Co-Chr.	✓				
IGE, David Y., Co-Chr.	✓				YAMANE, Ryan I., Co-Chr.	✓				
TANIGUCHI, Brian T., Co-Chr.	✓				OISHIRO, Marcus R., Co-Chr.	✓				
KIM, Dorcas Mercado, Co-Chr.	✓				LEE, Marilyn B.	✓				
HARA, Lea J.				✓	SHIMABUKURO, Mallie S.L.				✓	
					WARD, Gene	✓				
TOTAL	4	0	0	1	TOTAL	5	0	0	1	
A = Aye WR = Aye with Reservations					N = Nay E = Exceeded					
Senate Recommendation Is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					House Recommendation Is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					
Senate Lead Chair's or Designee's Signature: <i>(Signature)</i>					House Lead Chair's or Designee's Signature: <i>(Signature)</i>					
Distributions:	Original		File with Conference Committee Report		Yellow House Clerk's Office		Pink Senate Clerk's Office		Goldendrod Drafting Agency	

**28th LEGISLATURE, REGULAR SESSION OF 2015
JOINT HOUSE and SENATE
COMMITTEES ON CONFERENCE
CONFERENCE ROOM SCHEDULING PROCEDURES AND
GUIDELINES**

The following conference room scheduling procedures and guidelines shall apply to all Senate and House conference rooms beginning 8:00 a.m. on Monday, April 20, 2015, until 12:00 midnight on Friday, May 1, 2015.

Priority for the use of conference rooms will be given in the following order:

- First Priority: Standing Committee Bill Hearings
- Second Priority: Conference Committee Meetings
- Third Priority: Committee Hearings on Resolutions and Governor's Messages

Reserving a Conference Room:

House Conference Rooms (Rooms 309, 312, 325, 329, or 423). If your committee is designated to use one of the House conference rooms, please reserve the room by contacting the House Sergeant-at-Arms office at 586-6500.

Senate Conference Rooms (Room 016, 224, 225, or 229). If your committee is designated to use one of the Senate conference rooms, please reserve the room by contacting Linda Kahana of the Senate Sergeant-at-Arms office at 586-6725.

Conference committees assigned to use a specific conference room will be given priority in using that room for conference committee meetings. (See attached Room Assignment Schedule)

All conference room assignments must be made by the respective Sergeant-at-Arms offices. Committees should not allocate the use of their assigned conference room to another committee without first contacting the House or Senate Sergeant-at-Arms office.

Coordinating the Use of Assigned Conference Rooms:

For those committees sharing conference rooms with other committees, it is recommended that you meet with respective committee chairs to formulate a basic timetable for sharing the room. Please do not reserve a block of specific times until a timetable has been agreed to.

If you have reserved a specific block of time which you no longer plan to use, please notify the respective Sergeant-at-Arms office as soon as possible to allow use by another committee.

If your committee needs to meet and your assigned room has already been reserved or is in use by another committee, please contact the House and Senate Sergeant-at-Arms to arrange for the temporary use of an available conference room.

Conference committees are encouraged to give as much advanced public notice for meetings as is possible. Please be aware that lower priority room usage may be postponed or relocated as we approach the deadline to complete conference committee meetings.

Exceptions to the Conference Room Scheduling Procedures and Guidelines may be made only with the advanced written approval of both the Senate President and the Speaker of the House.

/s/ Donna Mercado Kim
Donna Mercado Kim
President of the Senate

4-6-15
Date

/s/ Joseph M. Souki
Joseph M. Souki
Speaker of the House of Representatives

4-6-15
Date

**28th LEGISLATURE, REGULAR SESSION OF 2015
JOINT HOUSE and SENATE
COMMITTEES ON CONFERENCE
ROOM ASSIGNMENT SCHEDULE**

Senate Standing Committee	House Standing Committees	Conference Room Assignment
CPN	CPC	016
AGL, WTL	AGR, WAL	224
TRA, ENE	TRN, EEP	225
HTH, HSH	HLT, HUS, HSG	229
WAM, GVO	FIN, LMG	309
PSM, TSI	PBS, TOU, VMI	312
JDL	JUD, LAB	325
EDU, HEA	EDN, HED	329
EDT, HWN	EDB, OMH	423

/s/ Donna Mercado Kim
Donna Mercado Kim
President of the Senate

4-6-15
Date

/s/ Joseph M. Souki
Joseph M. Souki
Speaker of the House of Representatives

4-6-15
Date